

SB 519 STAFF MEASURE SUMMARY

Senate Committee On Judiciary

Prepared By: Whitney Perez, Counsel

Meeting Dates: 3/15

WHAT THE MEASURE DOES:

Allows preemployment polygraph examinations of law enforcement officer applicants, subject to applicable collective bargaining agreements. Prohibits post-employment polygraph examinations of law enforcement officers. Exempts polygraph examination tests and associated materials from public records law.

REVENUE: May have revenue impact, but no statement yet issued

FISCAL: May have fiscal impact, but no statement yet issued

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

Several states currently allow for the use of polygraph examinations in screening law enforcement applicants, including California and Washington. Oregon law currently prohibits the use of polygraph examinations as a condition of employment or continuation of employment. Violation of this law is an A misdemeanor. It is also considered an unlawful employment practice, subject to administrative and civil enforcement.

Senate Bill 519 amends existing law to allow for the use of polygraph examinations as a condition of employment for law enforcement officers. It does not allow the use of polygraph examinations of law enforcement officers during their employment. The use of these polygraph examinations is subject to a law enforcement agency's collective bargaining agreement. Finally, SB 519 exempts these polygraph examinations and the materials associated with them from disclosure under public records law.